

PUBLIC CHAPTER NO. 1130

SENATE BILL NO. 3120

By Burchett, Ford

Substituted for: House Bill No. 2776

By Baird, Roach, Jim Cobb

AN ACT to amend Tennessee Code Annotated, Title 68, Chapter 104, Part 2, relative to fireworks.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 68-104-202(18), is amended by changing the period at the end of the subdivision to a semi-colon and adding the following language:

with regard to a municipality, county, or metropolitan government which sponsors a display, "sponsor" means a governmental entity in compliance with the provisions of § 68-104-203(b).

SECTION 2. Tennessee Code Annotated, Section 68-104-203, is amended by deleting the section in its entirety and by substituting instead the following language:

68-104-203.

(a) An individual or entity, other than a municipality, county, or metropolitan government, must be a licensed exhibitor to perform an outdoor fireworks display, an indoor or outdoor proximate pyrotechnic display, or an indoor or outdoor display using flame effects. An individual or entity must be a licensed exhibitor to supply display fireworks, indoor or outdoor proximate pyrotechnics, or flame effect materials for display purposes.

(b) A municipality, county, or metropolitan government conducting an indoor or outdoor proximate pyrotechnic display, or an indoor or outdoor display using flame effects, however, must apply for and obtain the permit required pursuant to § 68-104-212, and:

(1) Have a certified operator on site at the event supervising or discharging the display;

(2) Show proof of insurance in accordance with the limits of liability established in the Tennessee

Governmental Tort Liability Act, codified as Title 29, Chapter 20, or proof of adequate self-insurance; and

(3) Have the pyrotechnic materials supplied or purchased from a licensed exhibitor.

SECTION 3. Tennessee Code Annotated, Section 68-104-210(a)(1), is amended by deleting the language "Anyone other than a certified operator to perform" and by substituting instead "Except with regard to a municipality, county, or metropolitan government which conducts a display, so long as the governmental entity is in compliance with the provisions of § 68-104-203(b), anyone other than a certified operator to perform".

SECTION 4. This act shall take effect upon becoming a law, the public welfare requiring it.

PASSED: May 20, 2008



RON RAMSEY
SPEAKER OF THE SENATE



JIMMY NAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES

APPROVED this 13th day of June 2008



PHIL BREDESEN, GOVERNOR